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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|--------------------------|---------------------|------------------|
| 10/570,592 | 03/06/2006 | Lionello Morando Babbini | BABBINI-1 | 2967 |
| 1444 | 7590 | 11/09/2006 | EXAMINER | |
| BROWDY AND NEIMARK, P.L.L.C. 624 NINTH STREET, NW SUITE 300 WASHINGTON, DC 20001-5303 | | | NGUYEN, JIMMY T | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3725 | |

DATE MAILED: 11/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|-----------------------------|---------------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/570,592 | BABBINI, LIONELLO MORANDO | |
| | Examiner Jimmy T. Nguyen | Art Unit 3725 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 18 September 2006.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-7 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-7 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 06 March 2006 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

| | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>3/6/06</u> . | 6) <input type="checkbox"/> Other: _____ |



DETAILED ACTION

Information Disclosure Statement

Receipt is acknowledged of an Information Disclosure Statement (I.D.S.), filed March 06, 2006, which I.D.S. has been placed of record in the filed. An initialed, signed, and dated copy of the form PTO-1449 is attached to this Office action.

Drawings

The drawings are objected to because figure 7 shows the lead line of reference number 13 pointed to a central rod instead of the upper hoop. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.



Specification

The disclosure is objected to because of the following informalities: Page 3, lines 24-25 are objected to because they are improper to refer a claim in the specification. The specification is a stand alone document and is not read in light of the claims. Appropriate correction is required.

Claim Objections

Claim 1 is objected to because of the following informalities:

Regarding claim 1, line 20, numeral "(4)" appears to be a typo error and it should be changed to --- (5) --- as to the filtering case is being indicated as number 5 in fig. 3. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, line 17, there is insufficient antecedent basis for the limitation "the end of the press" in the claim.



Regarding claim 1, line 18, there is insufficient antecedent basis for the limitation “the material advancement direction” in the claim.

Regarding claim 1, line 24, the recitation “upper and lower hoops” lacks clear antecedent basis in the claim, because it is unclear whether the upper and lower hoops as claimed are referring to the hoops as claimed in line 10 or to different hoops. Clarification is required.

Regarding claim 1, line 26, there is insufficient antecedent basis for the limitation “the axes of each module” in the claim.

Regarding claim 1, line 27, there is insufficient antecedent basis for the limitation “the dimension” in the claim.

Regarding claim 1, line 29, the recitation “each module” lacks clear antecedent basis in the claim, because it is unclear whether the module as claimed is referring to the module as claimed in line 26 or to different module. Clarification is required.

Regarding claim 1, line 29, the recitation “upper hoops” lacks clear antecedent basis in the claim, because it is unclear whether the upper hoops as claimed are referring to the upper hoops as claimed in line 24 or to different upper hoops. Clarification is required.

Regarding claim 1, last three lines, the recitation “said loading hopper being shiftable by its replacing one or more modules of the filtering case” is unclear and confusing. It is not clear of what is the claimed structure limitation? It is not clear of what is meant by “shiftable by its replacing one”. It is suggested that the last paragraph of the claim should clearly define the inter-relationship between the claimed elements (i.e. upper and lower hoops, the module, the hopper,...). For example, the last paragraph may be recited as follows: “said filtering cage comprises an upper part and a lower part, said upper part is supported by upper hoops of said



series of equidistant hoops, said lower part is supported by lower hoops of said series of equidistant hoops, the upper part being of modular structure having a plurality of modules, a distance between axes of each of said modules is constant and is a sub-multiple of a dimension of the loading hopper measured along said predetermined axial direction, each of said modules comprising at least two of said upper hoops, said loading hopper being shiftable to a place that was occupied by one or more of the modules, in which one or more of the modules replaced a place that was occupied by the loading hopper before it was shifted.”

Regarding claim 5, line 2, the recitation “a helix” lacks clear antecedent basis in the claim, because it is unclear whether the helix as claimed is referring to the helix as claimed in claim 1, line 6 or to a different helix. Clarification is required.

Regarding claim 7, line 2, the recitation “each helix” lacks clear antecedent basis in the claim, because it is unclear whether the helix as claimed is referring to one the helixes as claimed in claim 6, line 2 or to a different helix. Clarification is required.

Allowable Subject Matter

Claims 1-7 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

US 3,019,484 to Strohmeier teaches a screw press having a casing comprises several segments, any of which can be replaced by a feed hopper (7) to vary the position of the feed hopper from the high pressure screws assembly (3).



The rest of the prior art of record disclose various double screw presses. But none of them teaches or suggests the shifting of the hopper to a place that was occupied by one or more of the modules, which replaced a place of the hopper before it was shifted.

US 4,150,617 to Schramm discloses a screw press having modular split perforated cage. But Schramm fails to disclose the shifting of the hopper.

Although, Strohmeier discloses the screw press having a shifting hopper, and the rest of the prior art disclose various double screw presses, there is no motivation to combine Strohmeier with each of the rest of the prior art of record and such would be impermissible hindsight. Furthermore, Strohmeier does not disclose a perforated casing, and thus, it is not in the field of liquid extracting presses.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art listed on the attached PTO 892 are cited to show relevant double screw presses.

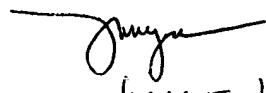
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jimmy T. Nguyen whose telephone number is (571) 272-4520. The examiner can normally be reached on Monday-Thursday 7:30am-5:00pm with alternating Friday 7:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lowell Larson can be reached on (571) 272- 4519. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JTNguyen
November 08, 2006.


JIMMY T. NGUYEN
EXAMINER - AU 3725